

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DAVID RAY WILLIAMS,

Plaintiff,

No. CIV S-04-2559 LKK KJM P

vs.

CSP-SOLANO, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On January 17, 2007, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. Both parties have filed objections to the findings and recommendations.¹

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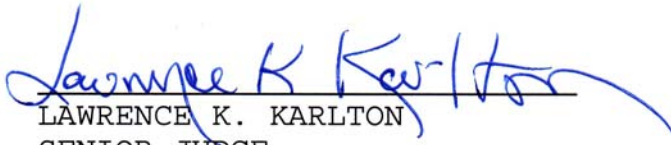
¹ In his objections, plaintiff asserts defendant Parker should not be dismissed because plaintiff filed a motion for substitution on September 7, 2006. The court's record does not reflect that plaintiff ever filed a motion for substitution with respect to defendant Parker. In any case, plaintiff fails to assert who should be substituted for defendant Parker.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
2 304, this court has conducted a de novo review of this case. Having carefully reviewed the
3 entire file, the court finds the findings and recommendations to be supported by the record and by
4 proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations filed January 17, 2007 are adopted in full;
- 7 2. Defendant Parker is dismissed;
- 8 3. Plaintiff's March 31, 2006 request for a temporary restraining order is denied;
- 9 4. Defendants' April 20, 2006 motion to dismiss is granted;
- 10 5. Defendant Solomon is dismissed; and
- 11 6. Defendants' August 31, 2006 motion for summary judgment as to defendant
12 Rohrer is denied.

13 DATED: March 29, 2007.

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16 LAWRENCE K. KARLTON
17 SENIOR JUDGE
18 UNITED STATES DISTRICT COURT
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